

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Brandie Renee BAKER

Case No.

19-MJ-2634

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 13, 2019 in the county of Dona Ana in the  
State and District of New Mexico, the defendant(s) violated:

## Code Section

## Offense Description

Title 8 U.S.C. 1324 (a)(1)(A)(v)(I),  
 (a)(1)(A)(ii) and (a)(1)(B)(i)

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, and with others known and unknown, to commit offenses against the United States, namely: knowing and in reckless disregard of the fact that an alien has come to, entered, and remained in the United States in violation of law, did transport, move, and attempt to transport and move such alien within the United States by means of transportation and otherwise, in furtherance of said violation of law.

This criminal complaint is based on these facts:

See Attachment:

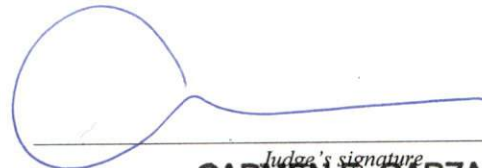
☒ Continued on the attached sheet.


Complainant's signature

Deborah Mletzko-HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/13/2019City and state: Las Cruces, NM


Judge's signature  
**CARMEN E. GARZA**  
**U.S. MAGISTRATE JUDGE**

Printed name and title

**AFFIDAVIT**

On August 13, 2019, at approximately 0700 hours, United States Border Patrol (USBP) Agents encountered a white 2002 GMC Sierra truck bearing Texas license plate BZZ 2089 that entered the primary inspection lane at the Truth or Consequences, New Mexico Border Patrol Checkpoint. USBP Agents observed that the truck contained an abnormal amount of people for a five-passenger truck. USBP Agents asked the driver, later identified as Brandie Renee BAKER (DOB: 04/06/1984), her country of citizenship and how she knew the other individuals in the vehicle. BAKER stated that she was a United States Citizen and that her passengers were construction workers she was transporting to Albuquerque, New Mexico to work. BAKER clarified that she had just met the individuals after she saw them standing on the side of the highway where they asked her for a ride to Albuquerque, New Mexico. USBP Agents asked the passengers of the vehicle in English of what country they were citizens. USBP Agents noticed that all of the passengers stared blankly at the USBP Agents and did not respond. USBP Agents observed what appeared to be people hiding under a blanket in the bed of the truck and notified BAKER to pull into secondary inspection.

USBP Agents further questioned the passengers of the truck in the secondary inspection area. USBP Agents stated that all passengers, except BAKER, freely said that they were citizens of Mexico and were in the United States illegally. BAKER was identified as the registered owner of the truck. USBP Agents apprehended ten Mexican Citizens and one United States (U.S.) Citizen Driver in this incident.

USBP Agents transported all subjects to the Truth or Consequences, New Mexico Border Patrol Station where they were processed. At approximately 0730 hours, BAKER was read her warning as to rights via government form I-214 in the English language. BAKER signed the waiver and stated she understood her rights and was willing to speak without an attorney present. USBP notified Homeland Security Investigations (HSI) El Paso, Texas of the potential for further investigation. HSI Agents assisted USBP in further interviewing BAKER.

BAKER stated that she drove to El Paso, Texas to pick up illegal aliens that were to be transported to Oklahoma. BAKER stated that on 08/12/2019, approximately 2300 hours, she departed from Pecos, Texas on I-20 in her white GMC truck and drove to El Paso, Texas. BAKER stated that in the early hours of 08/13/2019, she arrived at a house in El Paso, and picked up ten illegal aliens. BAKER stated that there were ten to 20 more illegal aliens in the house. She also stated to USBP that her 15-year-old son was following her in a blue 2019 Arcadia with an additional ten illegal aliens. BAKER said that she is paid \$1,000.00 per illegal alien and \$1,400.00 per illegal alien if she must go through a USBP checkpoint. BAKER said she was to be paid \$10,000.00 when she arrived in Oklahoma and BAKER's son would be paid an additional \$10,000.00 once he arrived in Albuquerque, New Mexico. BAKER stated that on 8/12/2019 she had smuggled two illegal aliens through the Sierra Blanca, Texas USBP checkpoint. BAKER had \$1,382.00 on her that she stated was proceeds from smuggling illegal aliens through the Sierra Blanca USBP Checkpoint. BAKER said that she has been transporting illegal aliens for approximately five months and has transported to California, Utah, Oklahoma, Nevada, and Colorado. BAKER said that she also had the ability to transport narcotics but had only done so on one occasion.

BAKER stated that she has a criminal history in Texas for assault and bodily injury. She said that she had knowledge that the ten people she was transporting were illegal aliens. BAKER described that she received these individuals from a house in Fabens, Texas, but that she did not know the address. She said that there were six more people in the house waiting to be picked up. BAKER described that a woman called her phone to give her further directions to the house.



BAKER said that when she stopped in the street near the house, the ten illegal aliens ran to her truck. She stated that she received the addresses via telephone, but then deleted them. BAKER said that she has been transporting illegal aliens since June or July and receives all her information from a man she calls "Charlie" who has connections to the cartel in Juarez, Mexico. BAKER clarified that "Charlie" contacts her when there is a job to be done and that the cartel or other smugglers call him to notify BAKER. BAKER stated she has transported illegal aliens maybe five or six times so far. She said she has made approximately \$10,000.00 to date.

BAKER stated that she transported two other illegal aliens through the Sierra Blanca Checkpoint on 08/12/2019. She said that she is paid cash by the families when she transports the illegal aliens to their destinations. BAKER would then call "Charlie" about her cut and take it from the cash. BAKER stated that she would give the rest of the cash to "Charlie". BAKER said that "Charlie" would have the money walked over the border or moved via electronic transfers. She stated that she has accepted payment through Western Union before but prefers cash. BAKER stated that she picks up illegal aliens in El Paso. According to BAKER, she has received illegal aliens from along the fence-line and from several houses in El Paso, but does not remember any addresses.

BAKER told HSI Agents that no one was following her while she transported the illegal aliens earlier that day and that all her children were with her boyfriend in Pecos, Texas.

USBP Agents seized the \$1,382.00 from BAKER as proceeds of the crime and presented the case to AUSA Richard Williams at approximately 1330 hours when it was accepted for prosecution.

  
\_\_\_\_\_  
Deborah Mletzko  
Special Agent

Subscribed and sworn before me this 14<sup>th</sup> day of August 2019.

  
\_\_\_\_\_  
United States Magistrate Judge